G. R. S. 58]

Previous references.

LR 197 of 94

1897-98

~~191~~ .

(Land Revenue)

File No. 298

Serial Nos. 1-2

Later references.

LR 312 of 00.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1—2

~~Part~~ B for Sept 98

SUBJECT.

Refund of Rs 3/— to Ruddramunappa
maker

Index & Minutes

W D 1551—GPB—20,000—15-12-15

96

Office Note as per order

(1a)

CHIEF SECRETARY'S OFFICE.

REVENUE BRANC

SUBJECT.

Section.....

File No.....

Serial No.....

LAST REFERENCE.

OFFICE NOTE.

Refund bill for Rs 3/- in favor of one Rudra Immidappa of Belur in the Siddaghatta Taluk, the amount being a portion of the fine of Rs 5/- originally imposed upon him for unauthorizedly erecting a Mantap on Govt Kharab land, but subsequently reduced to Rs 2.

Letter No. 4392/1299 dated 25th June 1898

from the Deputy Kolar Dt

With reference to Secretary's query 'Is the order in this case legal?' attention is respectfully invited to para 4 of Sec. 59 of the L. R. Code under which the fine appears to have been levied.

The circumstances under which the fine of Rs 5 was imposed on Rudra Immidappa & subsequently reduced to Rs 2/- by the Deputy are these:-

1. On 10th March 1896 the Shekdar reported that Rudra Immidappa had built a Stone Mantap on Govt Kharab land

x paper No.

Land S. 137 of the Inchur village, called Ranjundappa's Tope, although he was warned not to do so without obtaining permission.

2. On 24th December 1896, the Amildar reported the fact of the unauthorized erection of the Mantap, to the Deputy Commr and stated that Rudra Munisappa deposed that he has built the 6 ankanams of stone Mantapam in the place of the old Thatched Mantapam, for the use of travellers coming for the Parishe', and that he did not know that previous permission was necessary for building the same. The Amildar recommended that Rudra Munisappa might be fined Rs 10/- as he had unauthorizedly built on Govt land. † paper No 9.

3. The Deputy Commr referred the papers to the Asst Commr for enquiry and the latter called for information regarding existence of the ~~Thatched~~ Thatched Mantapam &c. † paper No 10

4. The Amildar reports that a thatched Mantapam existed † paper No 11

existed on the land from
a long time, & that its site
was marked in the village
map, and submitted the
villagers' Mahazar affirm-
-ing the existence of the same.

× paper No 3.

5. The Dy Assistant Comr
recommended that the mantap
in question might be allowed
to stand as it was intended
to be used for charitable
purposes and was built
on the site of the old thatched
mantapam. But the Dy.
Comr remarked that the
unauthorized building of
the mantap on Govt Kharab
land was a serious offence
and fined the delinquents
Rs 5/-

× paper No 11

6. In his petition dated
19th January 1898, Rudra
Munisappa represented to
the D/Comr that he had
built the stone mantapam
in place of the old thatched
one and thereby erected a
substantial building for the
use of travellers, that as the
building was intended for
purely

× paper No 13

purely charitable purposes, the fine of Rs 5/- imposed on him might be remitted.

7 Thereupon the Dy. Comr in his order dated 26th February 1878, observed that Ruddra Muniappa had encroached upon a portion of kharab land in addition to the site of the old thatched Mantapam and built the stone Mantapam thereon, although he was directed by the Thekkedar to desist from building it without permission, and that the former order would be confirmed, but that in consideration of the building being intended for charitable purposes, the fine would be reduced to Rs 2/- & the balance of Rs 3/- refunded.

The Dyscanr now submits a refund bill for the said Rs 3/-.

Under section 2 Rule XLIII of the Revenue Rules, the Dy Commissioner seems to be

+ Paper No 14

× In Ruddra Muniappa's deposition before the Dy. Asstt. Comr. (Paper No 5) the extent of the thatched Mantapam is stated to be 4 anikanams while that of the stone Mantapam is 6 anikanams

5

competent to receive his an
order on an application for
review under section 623 of
the Civil Procedure Code.

Submitted for orders.

18/8/98

18/8/98

Let it be registered
and fixed for admission

23/8/98.

Mention 7.30 pm
Wed 29.8.98
310

23/8/98

7-9-98

Issue
7/9/98

Submitted

papers read back and put up. The file containing the Govt Prop: No 96/1-2 & 4-8-98 has to be submitted to the Viceroy as per direction given at the foot of the draft.

W.S
9-8-98.

Ruled into drafts as indicated prepared before file, the question as to whether the Governor has the power to cancel an order having been decided in the affirmative. Please see the Memo put up which may as therein directed, be submitted to the Viceroy.

Submitted & Secretary
9/8/98 9/8/98

N.B - Next case relates to Dispensary at Gwalior. See the case in which Capt [illegible]

12/8/98

I wrote what see the Record I will the first [illegible] Case [illegible]

Please see [illegible]

Gen. 31.]

REVENUE DEPARTMENT
GL. No. 9617
18 98 29 1898
No 1533
DEWAN'S OFFICE

From The Deputy Commissioner
Kolar District

To

The Secretary to the
Government of
Dewan of Mysore.

Dated 23rd June 1898
Despatched 28th do
Received

General No. 4392 S. 89. 98
No. 1289

Enclosure No. Forty rupees Cash
Subscription for Famine
refund bill for Rs 3 —
in favour of Rudra Muniappa
of Mulur Village in the
Sidlaghatta Taluk —

Section 29 8 97

Refer 5/7/98

Refer 5/7/98

Noted.

The above refunds were received from Sub & Asst Collectors in Circular Proceedings on the 29th September 1897, with letter dated 18/9/97 from the Dy Commissioner on the same subject.

Submitted - R.C. Lyon
5/7/98

Refer for
a few moments

Noted

Nov 29-6-98

Refer
1/7/98

Submitted with accounts for audit
Cheque pitch to payee

Office of the Deputy Commissioner
Kegalla District.

No. 4392 Secretariat's
1299 file of Cancl papers

Dated 26th June 1895
Temporary Clerical assistance
28th

To

The Secretary to the
Government of Ceylon
Revenue General Department.

Sir,

I have the honor to state that one Kudra Innunapha of Ellawewa village in the Siddhagiriya Palata, constructed without obtaining permission, a Stone mantapa in a Cope situated in Government Kurunduwatta Land Survey No 137 of the same village, for which he was fined Rs. 5/- by the Deputy Commissioner Mr Rangaswamy Iyengar. It was also ordered that the Mantapa might be allowed to stand if he executed a muteha-lika that the Mantapa would be thrown open for public use. The fine imposed was recovered and credited to Government and the necessary muteh alika was also taken.

2. Kudra Innunapha represented to my predecessor Mr Rangaswamy Iyengar that he had only improved a dilapidated hut which formerly stood on the land and which was used for feeding purposes in the time of puja annually held in the village, by constructing a permanent building in its stead. The man was

was however found wrong in having taken up a small extent of vacant land by the side of the hut, said to have existed formerly and in not having stopped the work pending orders as directed by the Sheristadar. But in consideration of the fact that the Mantap in question was built for charitable purposes, the Rangasawmy Iyengar ordered a reduction of Rs. 3/- in the fine imposed. The full amount having already been recovered and credited to Government, a refund bill is now submitted for sanction together with the vernacular records in the case.

I have the honor to be
Sir
Your most obedient servant

W. Thurnwell
A. Deputy Commissioner

Draft for approval
Proc: of the Court of Mysore

(2)

Read:

Letter No: 439 dated 1299
25th June 1888 from the Dy: Commr: Kolar District
submitting a refund bill on behalf of one Rudra Muniappa for Rs 3-- -- being 1/4th portion ~~of Rs~~ of the fine of Rs 5-- -- ~~inflicted~~ imposed on the said individual for having unauthorizedly built a stone mantap on Kaval Survey No: 13 of Mulur Sidlaghatta Taluk which he subsequently demolished at his own

Order thereon:

The refund bill for Rs 3-- is sanctioned and forwarded to the Comptroller for audit

CL
23/9/98

9/3/98 M
2/760 AM Secretary

To The Dy Commr: Kolar with reference to Comptroller's note Below

Section 1782
File No 2980/97
Serial No 2

No 2020-21 Dt 10.9.98
M 203
Despatched